

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT

Trustees of the
LABORERS' PENSION TRUST FUND-
DETROIT AND VICINITY, *et al*,

Plaintiffs,

v

MUIRHEAD CONSTRUCTION, INC.,

Defendant.

Case No. 11-11058

Hon. Robert H. Cleland

ORDER FOR EXAMINATION OF JUDGMENT
DEBTOR AND RESTRAINING TRANSFER OF CERTAIN
PROPERTY SUPPLEMENTARY TO JUDGMENT

David Muirhead

THIS MATTER having come before this Court on Plaintiffs' Motion for Examination of Judgment Debtor and Restraining Transfer of Certain Property Supplementary to Judgment, and said motion having been duly filed along with a supporting Affidavit and Brief, and the Court having reviewed the same and being fully advised in the premises;

NOW THEREFORE;

IT IS HEREBY ORDERED that David Muirhead, on behalf of Muirhead Construction, Inc., whose address is 3507 South Hill, Milford, Michigan 48381, appear at the law offices of Erman, Teicher, Miller, Zucker & Freedman, P.C., 400 Galleria Officentre, Suite 444, Southfield, Michigan 48034 on **August 21, 2012 at 10:30 a.m.**, to be examined under oath concerning the income, property, or other means of satisfying the Judgment entered herein against Defendant on June 29, 2012.

IT IS FURTHER ORDERED that said person shall bring with him the following books, records, and papers in his possession, custody or control as they relate to Defendant Muirhead Construction, Inc.:

1. All checkbooks, check registers, check stubs, canceled checks, bank statements and other documents whatsoever relating to any deposit, savings, passbook or like account maintained with a bank, savings and loan association, credit union or like organization, in which Defendant has, or has had, any interest, at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

2. Copies of all returns, schedules and forms filed by or on behalf of Defendant with the Internal Revenue Service, State of Michigan, and any municipal governments, relating to any income received, property owned, business activities, sale or intangibles tax, of Defendant at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

3. All books of account and accounts receivable ledgers;

4. List of assets and liabilities;

5. All contracts of purchase, sale, bills of sale, certificates of title and deeds, and all other evidences of title or instruments of whatsoever kind or nature, relating to the purchase, sale or ownership of any property, real or personal, or any interest therein, purchased, sold or owned by, or on behalf of, Defendant at any and all times during the five (5) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier; and

6. Copies of all profit and loss statements and balance sheets relating to the affairs of Defendant prepared by, or on behalf of, said Defendant at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier.

IT IS FURTHER ORDERED that said Defendant, Muirhead Construction, Inc., and any officers, directors, employees and agents, and any third party who is served with a true and entered copy of this Order, are restrained from transferring or disposing of any property of Defendant, whether now owned, or hereafter acquired by, or becoming due to Defendant, until further order of this Court. This order does not apply to property exempt by law from application to the satisfaction of the judgment.

DATED: July 12, 2012

s/Robert H. Cleland
UNITED STATES DISTRICT COURT JUDGE